IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 32714 of 2007(T)

PETITIONER:

K.R.PRABHAKARAN,S/O.LATE K.K.RAMAN,
AGED 50 YEARS, KANDIRITYHY HOUSE,
PAZHANJI, TRICHUR DT.

BY ADV. SRI.A.PARVATHI MENON

RESPONDENTS:

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1. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIEITIES/ARBITRATOR CUM SPECIAL SALE OFFICER TRICHUR DISTRICT CO-OPERATIVE BANK LTD KURUPPAM ROAD, TRICHUR.

2. THE DEPUTY GENERAL MANAGER TRICHUR DISTRICT CO-OPERATIVE BANK LTD KURUPPAM ROAD, TRICHUR.

3. THE GENERAL MANAGER TRICHUR DISTRICT CO-OPERATIVE BANK LTD KURUPPAM ROAD, TRICHUR.

4. TRICHUR DISTRICT CO-OPERATIVE BANK LTD

ADDL.R5

5. JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, THRISSUR.
(Impleaded as per order dated 14.11.2007 in I.A.15160/2007)

BY ADV. SRI.V.G.ARUN,SC,THRISSUR DIST.CO-OP BAN
SRI.T.R.HARIKUMAR,SC,THRISSUR DIST.CO.O
GOVERNMENT PLEADER ANU SIVARAM FOR R2

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J

W.P.(C).32714/2007 & I.A.15159/2007

Dated this the 14th day of November, 2007

JUDGMENT

The petitioner challenges the proceedings in relation to an execution proceedings following the arbitration award. Petitioner has an alternate efficacious remedy for redressal of grievance in terms of Section 87 of the KCS Act. Exts.P8 and P9 produced along with I.A.15158/2007 shows that the petitioner has invoked such jurisdiction and also has applied for a stay of proceedings.

In the above circumstances, without expressing anything on merit this writ petition is disposed of directing that Ext.P8 will be taken up for consideration by the competent respondent and considered and disposed of in accordance with law. The application for interim relief shall be considered within an outer limit of two weeks from the date of receipt of a copy of this judgment.

THOTTATHIL B. RADHAKRISHNAN
Judge

mrcs